HONOURABLE SRI JUSTICE

B. SESHASAYANA REDDY

WRIT PETITION NO.13491 OF 2005

Dated 07-11-2005

Between :

Vemuri Narayana, son of Rosaiah, aged 74 years, Thutikuntla village, Bonakal Mandal, Khammam.

Petitioner.

And:

1. The Deputy Secretary, Freedom Fighters Division, Ministry of Home Affairs, Loknayak Bhavan, Khan Market, New Delhi and another.

Respondents.

ORDER :

1. This writ petition has been filed by Vemuri Narayana with a prayer to issue an order or direction more particularly one in the nature of writ of mandamus directing the respondents to issue pension sanction proceedings to the petitioner from the date of recommendation of his case by the Hyderabad Special Screen Committee with all consequential arrears as per the proceedings Roc. No.C6/40004, dated 20-02-2005 of the District Collector, Khammam District.

2. The name of the petitioner has been recommended by the Hyderabad Special Screening Committee for grant of Freedom Fighters Pension. His case reached the Central Government and ultimately, the file came to be returned on the ground that his name does not find place in the list recommended . Thereupon, the District Collector, reiterated the proposal stating that the name

of the petitioner finds place in the list vide 112/2394/93. Since no action has been taken on the reiteration of the recommendation of the District Collector, the petitioner has chosen to approach this Court seeking the relief as stated supra.

3. Heard the learned counsel appearing for the petitioner and the learned Assistant Solicitor General appearing for the 1st respondent and the learned Government Pleader appearing for the respondents 1 and 2.

4. It is not in dispute that the 3rd respondent reiterated the recommendation of the case of the petitioner for sanction of freedom fighter's pension. The letter bearing No.C6/400/40 dated 20-02-2005 reads as follows:

> "I invite kind attention to the reference cited, wherein proposals for sanction of Freedom Fighters pension of Sri Vemuri Narayana S/o Roshaiah, R/o Tutikuntla (V) of Bonakal Mandal has been submitted to the Govt. with HSCC No. 112/1122/97. But the Government of India through the reference 2nd cited has returned the proposal stating that as per records available in Ministry, the names of the applicants do not appear in the list of cases recommended by the HSSC for Swathantra Sainik Sanman Pension.
>
> The applicant through the reference 3rd cited has stated that his name was recommended by the HSSC with No. 11/2394/93 and Agenda No.1123 and requested to forward his proposals to the Government.
>
> I enclose herewith a copy of representation along with enclosures for taking further action in the matter."

5. Since the case of the petitioner has been reiterated, it is for the respondents 1 and 2 to consider the proposal and pass appropriate orders on the representation of the petitioner.

6. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the respondents 1 and 2 to pass appropriate orders on the application submitted by the petitioner for grant of Freedom Fighters Pension within two months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No costs.

Justice B. SESHASAYANA REDDY

Date : 07-11-2005

Dvs

HONOURABLE SRI JUSTICE

B. SESHASAYANA REDDY

WRIT PETITION NO. 13491 OF 2005

Dated 07-11-2005